EXHIBIT 24

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EXHIBIT 25

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EXHIBIT 26

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EXHIBIT 27

DURIE TANGRI LLP
DARALYN J. DURIE (*Pro Hac Vice*)
ddurie@durietangri.com
JOSEPH C. GRATZ (*Pro Hac Vice*)
jgratz@durietangri.com
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300

Attorneys for Defendant
Google Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

The Authors Guild, Inc. et al.,
 	
                    Plaintiffs,
 	
            v.
 	
Google Inc.,
 	
                    Defendant.
	Civil Action No. 05 CV 8136 (DC)

**DEFENDANT GOOGLE INC.'S RESPONSES AND OBJECTIONS TO
PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Defendant Google

Inc. ("Google") hereby responds to Plaintiffs' First Set of Requests for Admission (Nos. 1-34)

with the following objections and responses.

GENERAL OBJECTIONS

1.   Google objects to the preface, instructions, and definitions to the Requests to the

extent that they purport to impose obligations that exceed those imposed by the Federal Rules of

Civil Procedure, relevant local rules, and applicable case law. In responding to these requests,

Google has followed the applicable law and has ignored the improper preface, instructions, and

definitions.

2.   Google objects to the Requests in their entirety and to each request to the extent

that the documents and information sought are protected from discovery by the attorney-client

privilege, the work-product doctrine, or any other applicable privilege.

3.   Google objects to each and every request to the extent that it seeks information

that is confidential and/or proprietary information. To the extent not otherwise subject to

objection, Google will produce such confidential documents in accordance with the terms of the

protective order entered in this case.

4.   Google objects to the Requests in their entirety and to each discovery request as

unduly burdensome to the extent they seek information or documents already known to

Plaintiffs, or which are equally available to Plaintiffs.

5.   Google objects to the Requests in their entirety and to each discovery request to

the extent they seek documents not relevant to any claim or defense in this action or reasonably

calculated to lead to the discovery of admissible evidence.

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6.   Google objects to The Authors Guild's definition of "Google" as vague, ambiguous, unintelligible, and overly-broad. For purposes of responding to these discovery requests, Google will interpret "Google" to mean Google Inc. and/or its agents.

7.   Google objects to the time period of these requests as overly broad and unduly burdensome.

8.   Google objects to the Requests to the extent they request information pertaining to persons or activities outside the United States.

9.   Google objects to the Requests to the extent they request information pertaining to Google products other than Google Books, and Google's responses are limited to Google Books.

10.   Google objects to each and every discovery request to the extent that it purports to impose a burden of providing information not in Google's possession, custody, or control or which cannot be found in the course of a reasonable search. Google has undertaken a reasonable and good-faith effort to locate all relevant, non-privileged documents known to it at this time that are responsive to these requests, but they reserve the right to conduct further investigation and discovery as to any issue raised or suggested by any discovery request and to rely on any subsequently discovered information or documents at trial or any other proceeding.

11.   Google has not yet completed its investigation of the facts relating to this case. Any and all responses to the following discovery requests are therefore based solely on information presently known to Google, and Google reserves its right to conduct further discovery and investigation and to use at trial or any other proceeding evidence of any subsequently discovered facts, documents, or information.

12.   In responding to these discovery requests, Google does not concede the relevancy or materiality of any request or of the subject to which any request refers. Google's responses to

these discovery requests are made expressly subject to and without waiving any objections in any

proceeding, including trial of this action, as to competency, relevancy, materiality, or privilege of

any of the documents referred to or the responses given.

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RESPONSES AND OBJECTIONS TO REQUESTS FOR ADMISSION

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REQUEST FOR ADMISSION NO. 1:

As part of its Library Project, Google began in 2004 to digitally copy printed in-copyright

works in their entirety, without permission from the copyright owners of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it began in 2004 to scan, among other works, printed in-copyright and out-of-

copyright works from libraries in their entirety, and that Google scans some works without the

permission of the copyright owners in those works, as Google's acts with respect to those works

constitute fair use. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 2:

One of Google's goals in its Library Project has been to digitally copy all of the printed

books in the United States, including in-copyright books, regardless of their content.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

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the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 3:

Google undertook the Library Project for commercial reasons.

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 4:

Google undertook the Library Project to gain a competitive advantage over other participants in the search engine market.

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 5:

Google has entered into agreements with libraries, including the University of Michigan, Stanford University, and the University of California, to obtain access to works for the purpose of digitally copying such works, including in-copyright works.

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RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it has entered into agreements with certain libraries, including the University of

Michigan, Stanford University, and the University of California, pursuant to which those

libraries request that Google scan books, including in-copyright works, provided to Google by

the library. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 6:

In order to gain access to printed works for the purpose of digitally copying them, Google

agreed to provide libraries with digital copies of works copied from the libraries' collections.

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it has entered into agreements with certain libraries, including the University of

Michigan, Stanford University, and the University of California, pursuant to which those

libraries request that Google scan books, including in-copyright works, provided to Google by

the library, and Google provides digital copies of those books to the libraries which, pursuant to

the contracts, may be used only in ways which do not violate copyright law. Except as

specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 7:

To date, as part of its Library Project, Google has copied millions of in-copyright works,

without permission from the copyright owners of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it has scanned millions of in-copyright works from library collections and that,

because Google's acts constituted fair use, permission was generally not sought or granted with

respect to some of those works. Except as specifically admitted, Google responds as follows:

Denied.

REQUEST FOR ADMISSION NO. 8:

To date, as part of its Library Project, Google has provided to libraries digital copies of

millions of in-copyright works, without permission from the copyright owners of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term as that term is defined in 17

U.S.C. § 101. Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it has entered into agreements with certain libraries, pursuant to which those libraries

have requested that Google scan books, including in-copyright works, provided to Google by the

library, and Google has provided digital copies of millions of those books to the libraries which,

pursuant to the contracts, may be used only in ways which do not violate copyright law. Except

as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 9:

To date, as part of its Library Project, Google has copied in their entirety millions of in-

copyright works, including in-print and out-of-print works, fiction and non-fiction works,

reference works, anthologies, educational works, textbooks, dissertations, monographs, journals,

government publications and other type of works.

RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it has scanned in their entirety millions of books from libraries, including in-print and

out-of-print works, fiction and non-fiction works, reference works, anthologies, educational

works, textbooks, dissertations, monographs, journals, government publications and other types

of works. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 10:

Each in-copyright work copied by Google as part of its Library Project was copied by Google in its entirety at least twice, without permission from the copyright owners of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google admits that it creates and maintains, as necessary for its fair uses, more than one copy of the books it scans from library collections. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 11:

Google maintains on its servers digital copies of millions of in-copyright works, without permission from the copyright owners of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term as that term is defined in 17 U.S.C. § 101. Google objects to the definition of "Library Project" as vague and ambiguous. Google objects to the term "works" as vague and ambiguous. Google objects to this Request to

the extent it requests information pertaining to Google products other than Google Books, and

Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it creates and maintains, as necessary for its fair uses, more than one copy of the

books it scans from library collections, and that it has scanned millions of books from library

collections. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 12:

Google uses the works copied in its Library Project to display search results to users of its

search engine.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request's use of

the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more

copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library

Project" as vague and ambiguous. Google objects to this Request to the extent it requests

information pertaining to Google products other than Google Books, and Google's response is

limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google

admits that one of the fair uses to which it puts books is rendering them searchable using the

Google Books website. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 13:

In response to search queries by users of its search engine, Google has displayed content

on the Internet from millions of in-copyright works, without permission from the copyright

owner of such works.

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous. Google objects to this Request to the extent it requests information pertaining to Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google admits in response to search queries by users of Google Books, in order to help users find the book they're looking for, Google has displayed short "snippets" of text from millions of books to those users, though it only displays a maximum of three "snippets" in response to a search query. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 14:

In response to search inquiries by users of its search engine, Google searches the complete text of works copied in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 14:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous. Google objects to this Request to the extent it requests information pertaining to Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google admits in response to search queries by users of its Google Books website, in order to help users find the book they're looking for, Google searches the complete text of at least some of the works scanned from library collections. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 15:

None of the representative plaintiffs gave permission to Google to copy, distribute or display any of their works.

RESPONSE TO REQUEST FOR ADMISSION NO. 15:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to this Request to the extent it requests information pertaining to Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google admits that the representative plaintiffs themselves did not give Google any permissions with respect to any of their books, as Google's acts constituted fair use, although their publishers gave Google certain permissions with respect to some of their works. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 16:

Google did not seek permission from any of the representative plaintiffs to copy, distribute or display any of their works.

RESPONSE TO REQUEST FOR ADMISSION NO. 16:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to this Request to the extent it requests information pertaining to Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Google admits that, because its acts constituted fair use, Google did not seek any permission from the representative plaintiffs themselves, although their publishers gave Google certain permissions with respect to some of their works. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 17:

Google did not seek permission from copyright owners before copying in-copyright works in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 17:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google admits that before beginning to scan works from libraries, because its acts constituted fair use, it generally did not seek or receive permissions from copyright holders with respect to its project of

scanning books from libraries. Except as specifically admitted, Google responds as follows:

Denied.

REQUEST FOR ADMISSION NO. 18:

Google has not compensated copyright owners for its copying in its Library Project of in-copyright works.

RESPONSE TO REQUEST FOR ADMISSION NO. 18:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google admits that it has not provided direct monetary compensation to copyright holders with respect to its scanning of books from libraries and the display of short "snippets" of text in response to search queries. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 19:

Google has not compensated copyright owners for its display on the Internet of content from in-copyright works copied in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 19:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request's use of the term "copy" as vague and ambiguous, and construes that term to mean "to create one or more copies, as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project" as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google admits that it has not provided direct monetary compensation to copyright holders with respect to its scanning of books from libraries and the display of short "snippets" of text in response to search queries. Except as specifically admitted, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 20:

Google's security measures may be breached due to the actions of outside parties, employee error, malfeasance, or otherwise, and, as a result, an unauthorized party may obtain access to data held by Google, including works copied in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 20:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it presents a hypothetical question. Google objects to this Request on the ground that it is vague and ambiguous, including without limitation in its use of the term "security." Google objects to this Request to the extent it requests information pertaining to Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 21:

Outside parties may attempt to fraudulently induce Google employees, users, or customers to disclose sensitive information in order to gain access to data held by Google.

RESPONSE TO REQUEST FOR ADMISSION NO. 21:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it presents a hypothetical question. Google objects to this Request on the ground that it is vague and ambiguous. Google objects to this Request on the ground that it seeks

information pertaining to the state of mind of third parties, of which Google has no direct

knowledge. Google objects to this Request to the extent it requests information pertaining to

Google products other than Google Books, and Google's response is limited to Google Books.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 22:

Because the techniques used by outside parties to obtain unauthorized access to data

change frequently and often are not recognized until launched against a target, Google may be

unable to anticipate these techniques or to implement adequate preventative measures.

RESPONSE TO REQUEST FOR ADMISSION NO. 22:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it presents a hypothetical question. Google objects to this Request on the ground that

it is vague and ambiguous. Google objects to this Request to the extent it requests information

pertaining to Google products other than Google Books, and Google's response is limited to

Google Books.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 23:

Google does not consider itself responsible for the security of the digital copies of works

provided by it to libraries in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 23:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it is vague and ambiguous, including without limitation in its use of the term

"security."

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 24:

Google does not monitor or control the security of the digital copies of works provided by it to libraries in its Library Project.

RESPONSE TO REQUEST FOR ADMISSION NO. 24:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it is vague and ambiguous, including without limitation in its use of the terms "monitor," "control," and "security." Google objects to this Request's use of the term "copies" as vague and ambiguous, and construes that term as it is defined in 17 U.S.C. § 101.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 25:

The security measures of libraries who receive digital copies of works from Google may be breached due to the actions of outside parties, employee error, malfeasance, or otherwise, and, as a result, an unauthorized party may obtain access to data held by such libraries.

RESPONSE TO REQUEST FOR ADMISSION NO. 25:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it presents a hypothetical question. Google objects to this Request on the ground that it is vague and ambiguous, including without limitation in its use of the term "security." Google objects to this Request's use of the term "copies" as vague and ambiguous, and construes that term as it is defined in 17 U.S.C. § 101.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 26:

Outside parties may attempt to fraudulently induce library employees or patrons to disclose sensitive information in order to gain access to data held by the library.

RESPONSE TO REQUEST FOR ADMISSION NO. 26:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it presents a hypothetical question. Google objects to this Request on the ground that it is vague and ambiguous. Google objects to this Request on the ground that it seeks information pertaining to the state of mind of third parties, of which Google has no direct knowledge.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 27:

Because the techniques used by outside parties to obtain unauthorized access to data change frequently and often are not recognized until launched against a target, libraries may be unable to anticipate these techniques or to implement adequate preventative measures.

RESPONSE TO REQUEST FOR ADMISSION NO. 27:

Google objects to this request to the extent it calls for the disclosure of material protected by the attorney-client privilege or any other privilege. Google objects to this Request on the ground that it presents a hypothetical question. Google objects to this Request on the ground that it is vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 28:

Google pays license fees and royalties to certain content providers to display content on its website.

RESPONSE TO REQUEST FOR ADMISSION NO. 28:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it is vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Google

admits that it pays license fees to certain content providers to display certain content on certain

websites that Google operates. Except as specifically admitted, Google responds as follows:

Denied.

REQUEST FOR ADMISSION NO. 29:

Google does not use the works copied in its Library Project for the purpose of criticism.

RESPONSE TO REQUEST FOR ADMISSION NO. 29:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 30:

Google does not use the works copied in its Library Project for the purpose of

commenting on the works.

RESPONSE TO REQUEST FOR ADMISSION NO. 30:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 31:

Google does not use the works copied in its Library Project for the purpose of news

reporting.

RESPONSE TO REQUEST FOR ADMISSION NO. 31:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 32:

Google does not use the works copied in its Library Project for the purpose of teaching.

RESPONSE TO REQUEST FOR ADMISSION NO. 32:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 33:

Google does not use the works copied in its Library Project for the purpose of

scholarship.

RESPONSE TO REQUEST FOR ADMISSION NO. 33:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

REQUEST FOR ADMISSION NO. 34:

Google does not use the works copied in its Library Project for the purpose of research.

RESPONSE TO REQUEST FOR ADMISSION NO. 34:

Google objects to this request to the extent it calls for the disclosure of material protected

by the attorney-client privilege or any other privilege. Google objects to this Request on the

ground that it calls for a legal conclusion. Google objects to this Request's use of the term

"copy" as vague and ambiguous, and construes that term to mean "to create one or more copies,

as that term is defined in 17 U.S.C. § 101." Google objects to the definition of "Library Project"

as vague and ambiguous.

Subject to and without waiving its objections, Google responds as follows: Denied.

Dated: December 22, 2011   By: */s/ Joseph C. Gratz*

Daralyn J. Durie (*pro hac vice*)
ddurie@durietangri.com
Joseph C. Gratz (*pro hac vice*)
jgratz@durietangri.com
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300

Attorneys for Defendant Google Inc.

PROOF OF SERVICE

I am a citizen of the United States and resident of the State of California. I am

employed in San Francisco County, State of California, in the office of a member of the State

Bar of California, at whose direction the service was made. I am over the age of eighteen years,

and not a party to the within action. My business address is 217 Leidesdorff Street, San

Francisco, CA 94111.

On December 22, 2011, I served the following document(s) in the manner

described below:

**DEFENDANT GOOGLE INC.'S RESPONSES TO PLAINTIFFS' FIRST
SET OF REQUESTS FOR ADMISSION**

☐ (BY U.S. MAIL) I am personally and readily familiar with the business practice of Durie Tangri LLP for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at San Francisco, California.

☐ (BY MESSENGER SERVICE) by consigning the document(s) to an authorized courier and/or process server for hand delivery on this date.

☐ (BY FACSIMILE) I am personally and readily familiar with the business practice of Durie Tangri LLP for collection and processing of document(s) to be transmitted by facsimile and I caused such document(s) on this date to be transmitted by facsimile to the offices of addressee(s) at the numbers listed below.

☐ (BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Durie Tangri LLP for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by Federal Express for overnight delivery.

☒ BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy through Durie Tangri's electronic mail system from jgratz@durietangri.com to the email addresses set forth below.

☐ (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the offices of each addressee below.

22

On the following part(ies) in this action:

        Michael J. Boni
        Joanne E. Zack
        BONI & ZACK LLC
        15 St. Asaphs Road
        Bala Cynwyd, PA 19004
        Telephone: 610-822-0200
        Fax: 610-822-0206
        Email: mboni@bonizack.com
             jzack@bonizack.com

        Attorneys for Plaintiffs

I declare under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct. Executed on December 22, 2011, in San Francisco, California.

                /s/ Joseph C. Gratz
   Joseph C. Gratz

EXHIBIT 28

Google books

Google Books Library Project – An enhanced card catalog of the world's books

We're working with several major libraries to include their collections in Google Books and, like a card catalog, show users information about the book, and in many cases, a few snippets – a few sentences to display the search term in context.

What does a Google Books Library Project book look like?

When you click on a search result for a book from the Library Project, you'll see basic bibliographic information about the book, and in many cases, a few snippets – a few sentences showing your search term in context. If the book is out of copyright, you'll be able to view and download the entire book. In all cases, you'll see links directing you to online bookstores where you can buy the book and libraries where you can borrow it.
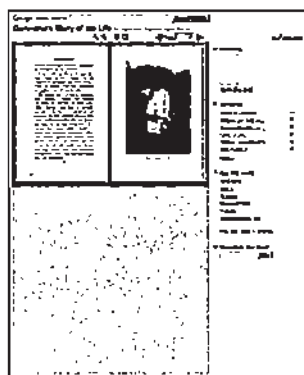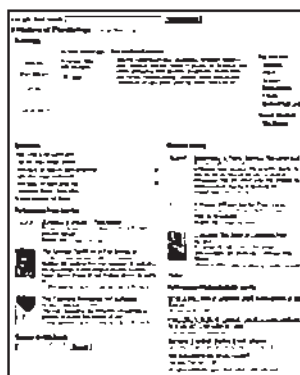
Full View	Snippet View	No Preview Available
View the entire book	View a few sentences surrounding the search term	View basic information about the book
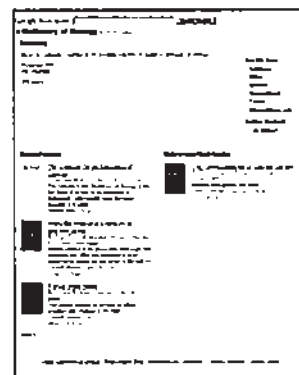
To see close-ups of these pages and to learn more about Google Books features, view our Screenshots.

What's the goal of this project?

The Library Project's aim is simple: make it easier for people to find relevant books – specifically, books they wouldn't find any other way such as those that are out of print – while carefully respecting authors' and publishers' copyrights. Our ultimate goal is to work with publishers and libraries to create a comprehensive, searchable, virtual card catalog of all books in all languages that helps users discover new books and publishers discover new readers.

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EXHIBIT 29

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EXHIBIT 30

1980	CP	Snip	20101105	UOM	1351079989C	WRITER	American Institute	Suggested improvement:	UOM,2010-11-15
1995	CP	Snip	20101105	UOM	1351079989C	WRITER	American Institute	Audits of employee bene	UOM,2010-11-15
1982	CP	Snip	20101105	PSU	1351079989C ISBN:0444	WRITER	Krystyna Dyrek	Reactivity of solids	
1979	CP	Snip	20101105	UOM	1351079989C	WRITER	Financial Accountir	An analysis of issues rela	UOM,2010-11-15
1982	CP	Snip	20101105	PSU	1351079989C ISBN:0444	WRITER	Krystyna Dyrek	Reactivity of solids	
1963	CP	Snip	20101105	UOM	1351079989C	WRITER	Richard H. Rush	The techniques of becor	UOM,2010-11-15
1959	CP	Snip	20101105	UOM	1351079989C	WRITER	William Paxton Boy	Productive business writ	UOM,2010-11-15
1991	-	Snip	20101105	UOM	1351079989C	WRITER	Richard B. McKenzi	Airline deregulation and	UOM,2010-11-15
1979	CP	Snip	20101105	UOM	1351079989C ISBN:066C	WRITER	Robert W. Mandell	Financing the capital req	UOM,2010-11-15
1987	CP	Snip	20101105	IND	1351079989C	WRITER	John James Pipoly	A systematic revision of the genus Cybianthus, su	
1969	-	Snip	20101105	UOM	1351079989C	WRITER	Arthur Andersen &	Accounting and reportinj	UOM,2010-11-15
1973	-	Snip	20101105	UOM	1351079989C	WRITER	United States. Dep:	Census of Population	UOM,2010-11-15
1961	-	Snip	20101105	UOM	1351079989C	CREATOR	Frank Walter Paish	Business finance	UOM,2010-11-15
1991	CP	Snip	20101105	UOM	1351079989C	EDITOR	Theresa Brothers	Corporate ethics	UOM,2010-11-15
1983	CP	Snip	20101105	UOM	1351079989C	WRITER	Michael H. Markel	Make your point	UOM,2010-11-15
1953	CP	Snip	20101105	UOM	1351079989C	WRITER	Edwin M. Robinsor	Business organization an	UOM,2010-11-15
1991	CP	Snip	20101105	UOM	1351079989C	WRITER	Joseph W. Cotchett	The ethics gap	UOM,2010-11-15
2001	CP	Meta	20101105	PSU	1351079989C ISBN:157C	WRITER	Max Bell	Everyday Mathematics	
1973	-	Snip	20101105	UOM	1351079989C	WRITER	United States. Dep:	Census of Population. Illi	UOM,2010-11-15
1987	-	Snip	20101105	UOM	1351079989C	WRITER	Nihon Konin Kaikei	Corporate disclosure in J	UOM,2010-11-15
1979	-	Snip	20101105	UOM	1351079989C	WRITER	Doris B. McLaughlii	The impact of labor unio	UOM,2010-11-15
1957	-	Snip	20101105	UOM	1351079989C	WRITER	National Industrial	Construction and buildin	UOM,2010-11-15
1935	CP	Meta	20101105	UOM	1351079989C	EDITOR	George Teele Stuffi	The traffic dictionary	UOM,2010-11-15
1972	CP	Snip	20101105	UOM	1351079989C	EDITOR	John C. Burton	Corporate financial repo	UOM,2010-11-15
1991	CP	Snip	20101105	UOM	1351079989C	WRITER	Irving Kellogg	Fraud, window dressing,	UOM,2010-11-21
1985	CP	Snip	20101105	UOM	1351079989C	WRITER	Judith A. Sromovsk	Solutions manual to accc	UOM,2010-11-15
1949	CP	Snip	20101105	UOM	1351079989C	WRITER	Charles Oliver Well	A primer on budgeting	UOM,2010-11-15
1956	CP	Snip	20101105	UOM	1351079989C	WRITER	Lydia Strong	Of time and top manage	UOM,2010-11-15
1918	CP	Snip	20101105	UOM	1351079989C	WRITER	William Rupert Bas	Accounting as an aid to k	UOM,2010-11-15
1987	CP	Snip	20101105	UOM	1351079989C ISBN:0471	WRITER	Morton B. Solomor	KMG Main Hurdman gui	UOM,2010-11-15
1998	CP	Snip	20101105	UOM	1351079989C ISBN:0642	WRITER	Australian Academ	Knowing ourselves and c	UOM,2010-11-15
1950	CP	Snip	20101105	UOM	1351079989C	WRITER	John Gordon Dakin	Retail credit manual	UOM,2010-11-15
1985	CP	Snip	20101105	UOM	1351079989C	EDITOR	John E. Clow	Economics in the busine:	UOM,2010-11-15
-	-	Snip	20101105	UOM	1351079989C	WRITER	United States. Bure	1967 Census of Manufac	UOM,2010-11-15

Year	CP	Source	Date	Inst	Number	Role	Author	Title	Repo	Date2
1982	CP	Snip	20101105	UOM	1351079890	WRITER	Jack C. Gray	Cost and managerial acc	UOM	2010-11-15
1969	CP	Snip	20101105	UOM	1351079890	EDITOR	Gardner Lindzey	The Handbook of Social	UOM	2010-11-15
1993	CP	Snip	20101105	UOM	1351079890	WRITER	Stephen J. Garone	Building a high-performa	UOM	2010-11-15
1983	CP	Snip	20101105	UOM	1351079890	WRITER	Enzo R. Grilli	The Outlook for primary	UOM	2010-11-15
1988	CP	Snip	20101105	UOM	1351079890	WRITER	Andersen Consultir	The Changing role of the	UOM	2010-11-15
1940	_	Meta	20101105	UOM	1351079890	WRITER	H. S. Oakley	Among the balance shee	UOM	2010-11-15
1934	CP	Snip	20101105	UOM	1351079890	WRITER	Wayne Mackenzie	Financial organization an	UOM	2010-11-15
1981	_	Snip	20101105	IND	1351079890	_	-	Summarised readings in geography 101		
1984	CP	Snip	20101105	UOM	1351079890	WRITER	Thomas C. Schellin	Choice and consequence	UOM	2010-11-15
1975	CP	Snip	20101105	UOM	1351079890	WRITER	Eunice C. Coleman	Supervisors	UOM	2010-11-15
1978	CP	Snip	20101105	UOM	1351079890	EDITOR	Grant W. Newton	ISBN:0064 Periodic reporting for int	UOM	2010-11-15
1996	CP	Snip	20101105	UOM	1351079890	WRITER	John Borton	An account of coordinati	UOM	2010-11-15
1971	CP	Snip	20101105	UOM	1351079890	WRITER	Robert E. Seiler	ISBN:0675 Accounting principles for	UOM	2010-11-15
2001	CP	Snip	20101105	PSU	1351079890	WRITER	Mary Bolté	ISBN:0743 A guide for using Curious George and other Curio		
1969	CP	Snip	20101105	UOM	1351079890	WRITER	Keith Davis	Human relations and org	UOM	2010-11-15
1971	CP	Snip	20101105	UOM	1351079890	WRITER	Robert A. Dickman	ISBN:0471 Personnel implications fc	UOM	2010-11-15
1957	_	Snip	20101105	UOM	1351079890	WRITER	American Accounti	Accounting and reporting	UOM	2010-11-15
1991	CP	Snip	20101105	PSU	1351079890	WRITER	Jay K. Hackett	Science in Your World: Teacher resource masters		
1991	CP	Snip	20101105	PSU	1351079890	WRITER	Jean Jamieson	ISBN:1561 The aminal by Lorna Balian		
2006	_	Snip	20101105	PSU	1351079890	WRITER	Susan Geye	Edward Bloor		
1983	CP	Meta	20101105	UOM	1351079890	WRITER	Paul Danos	Intermediate accounting	UOM	2010-11-15
1952	_	Snip	20101105	UOM	1351079890	WRITER	Cornell University.	The impact of budgets or	UOM	2010-11-15
1971	CP	Meta	20101105	UOM	1351079890	WRITER	Patrick J. Davey	Financial manuals	UOM	2010-11-15
1991	CP	Snip	20101105	PSU	1351079890	WRITER	Michael R. Cohen	Discover Science: Science process skills book		
1985	CP	Snip	20101105	UOM	1351079890	WRITER	Robert D. Helsby	The Evolving process	UOM	2010-11-15
1963	CP	Snip	20101105	UOM	1351079890	WRITER	Dwight R. Ladd	Contemporary corporate	UOM	2010-11-15
1970	_	Snip	20101105	UOM	1351079890	WRITER	S. C. Saksena	Business administration :	UOM	2010-11-15
1993	CP	Snip	20101105	UOM	1351079890	WRITER	Larry E. Kuhlken	Expanding professional s	UOM	2010-11-15
1968	CP	Meta	20101105	UOM	1351079890	WRITER	Foundation for Res	Predicting managerial su	UOM	2010-11-15
1989	CP	Snip	20101105	UOM	1351079890	WRITER	Elizabeth Cohn	Writing to please your bc	UOM	2010-11-15
1991	CP	Snip	20101105	PSU	1351079890	WRITER	Foresman and Corr	ISBN:0672 Discover science		
1944	CP	Snip	20101105	UOM	1351079890	WRITER	Maurice Moonitz	The entity theory of cons	UOM	2010-11-15
1996	CP	Snip	20101105	PSU	1351079890	WRITER	Jeanette Reuter	The Kent Infant Development (KID) Scale		
199?	_	Snip	20101105	PSU	1351079890	WRITER	Gail L. Ensher	Syracuse Scales of Infant Development (SSID)		

Year							Author	Title	
1981	CP	Snip	20101105	UOM	1351079890(ISBN:0256	WRITER	James E. Wheeler	Advanced accounting--a	UOM,2010-11-15
1976	_	Snip	20101105	UOM	1351079890C-	WRITER	Exxon Corporation.	Middle East oil	UOM,2010-11-15
1975	CP	Snip	20101105	UOM	1351079890C-	WRITER	Charles J. Woelfel	Accounting	UOM,2010-11-15
1989	CP	Snip	20101105	UOM	1351079890C-	WRITER	Committee for Eco	Battling America's budge	UOM,2010-11-15
1993	CP	Snip	20101105	UOM	1351079890C-	CREATOR	Christopher Swinsc	Group accounting	UOM,2010-11-15
1973	CP	Meta	20101105	UOM	1351079890C-	WRITER	Accountants Intern	Consolidated financial st	UOM,2010-11-15
1952	CP	Snip	20101105	UOM	1351079890C-	WRITER	Chris Argyris	An introduction to field t	UOM,2010-11-15
1996	CP	Snip	20101105	UOM	1351079890C-	WRITER	American Institute	Consideration of internal	UOM,2010-11-15
2000	CP	Snip	20101105	PSU	1351079890(ISBN:0787	WRITER	TIMS Project	Math trailblazers	
1993	CP	Snip	20101105	UOM	1351079890C-	WRITER	Ernst & Young	Fair value accounting stu	UOM,2010-11-15
1963	_	Snip	20101105	UOM	1351079890C-	WRITER	National Productivi	Cement industry in Franc	UOM,2010-11-15
1992	CP	Snip	20101105	UOM	1351079890C-	WRITER	Leonard Lorensen	Illustrations of Reporting	UOM,2010-11-15
1980	CP	Meta	20101105	UOM	1351079890C-	WRITER	Shinkichi Minemur	Inflation accounting	UOM,2010-11-15
1941	_	Snip	20101105	UOM	1351079890C-	WRITER	Edward G. Daniel	Financing the defense pr	UOM,2010-11-11
1987	CP	Snip	20101105	UOM	1351079890C-	WRITER	Paul A. Griffin	Usefulness to investors a	UOM,2010-11-15
1961	CP	Snip	20101105	UOM	1351079890C-	WRITER	Merriss Cornell	Columbus and Franklin C	UOM,2010-11-15
1983	CP	Snip	20101105	UOM	1351079890C-	WRITER	Jo Anne Stilley Hop	A reliability and validity a	UOM,2010-11-15
1979	CP	Snip	20101105	UOM	1351079890C-	WRITER	Stephen P. Hersh	The executive parent	UOM,2010-11-15
1934	CP	Snip	20101105	UOM	1351079890C-	WRITER	George Ephraim Sc	Labor's fight for power	UOM,2010-11-15
1928	_	Snip	20101105	UOM	1351079890C-	WRITER	John C. Beukema	The new science of city b	UOM,2010-11-15
1997	CP	Snip	20101105	UOM	1351079890C-	WRITER	American Institute	Audits of employee bene	UOM,2010-11-15
2001	CP	Snip	20101105	IND	1351079890C-	WRITER	Lee H. Herman	Catalog of the Staphylinidae (Insecta, Coleoptera)	UOM,2010-11-15
1936	CP	Snip	20101105	UOM	1351079890C-	WRITER	National Retail Dry	Internal audit	UOM,2010-11-15
1991	CP	Snip	20101105	PSU	1351079890(ISBN:0195	WRITER	Jeni Wilson	It's time	
1973	CP	Snip	20101105	UOM	1351079890C-	WRITER	American Institute	Accounting for motion pi	UOM,2010-11-15
1985	CP	Snip	20101105	IND	1351079890C-	WRITER	Howard R. Feldmar	Brachiopods of the Onondaga limestone in centra	UOM,2010-11-15
2001	CP	Snip	20101105	PSU	1351079890C-	WRITER	Sandy McConnell	Get Ready! for Standardized Tests: Grade 1	UOM,2010-11-15
1992	CP	Meta	20101105	PSU	1351079890(ISBN:1875	WRITER	Rod Cameron	Maths to munch on	
1992	CP	Snip	20101105	UOM	1351079890C-	WRITER	Felix Pomeranz	The successful audit	UOM,2010-11-15
1983	CP	Snip	20101105	IND	1351079890C-	WRITER	Lee H. Herman	Revision of Bledius and related genera	
1994	CP	Snip	20101105	UOM	1351079890(ISBN:078€	WRITER	Arnoud de Meyer	The manufacturers' survi	UOM,2010-11-15
1951	CP	Snip	20101105	UOM	1351079890C-	WRITER	National Committe	Municipal accounting an	UOM,2010-11-15
1968	CP	Snip	20101105	UOM	1351079890C-	WRITER	Erik Barnouw	A History of Broadcastin	UOM,2010-11-15
	CP	Snip	20101105	UOM	1351079890C-	WRITER	Irving Tenner	Municipal and governme	UOM,2010-11-15

EXHIBIT 31

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EXHIBIT 32

FILED UNDER SEAL